## **LOCAL BANKRUPTCY FORM 3015-1**

# IN THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHAPTER 13

	JO RIVERA-RAMOS and	CASE NO. 1:18-BK-04011-HWV			
MONALISA RIVERA		☐ ORIGINAL PLAN 2nd AMENDED PLAN (indicate 1 <sup>st</sup> , 2 <sup>nd</sup> 3 <sup>rd</sup> , etc.)  0 number of Motions to Avoid Liens 0 number of Motions to Value Collateral			
	<u>CHAPTER</u>	R 13 PLAN			
	NOT				
	s must check one box on each line to state whether or	•		•	
is chec	ked as "Not Included" or if both boxes are checked or	if neither box is che	ecked, the provisio	n will be ineffective it	
set out	later in the plan.				
1	The Plan contains nonstandard provisions, set out in				
	included in the standard Plan as approved by the US Bankruptcy Court				
	for the Middle District of Pennsylvania.				
2	The Plan contains a limit on the amount of a secure	ed claim, set out in			
	§2.E, which may result in a partial payment or no pa	syment at all to the	☐ Included	☐ Not Included	
	secured creditor.				

### YOUR RIGHTS WILL BE AFFECTED

READ THIS PLAN CAREFULLY. If you oppose any provision of this Plan, you must file a timely written objection. This Plan may be confirmed and become binding on you without further notice or hearing unless a written objection is filed before the deadline stated on the Notice issued in connection with the filing of the Plan.

### 1. PLAN FUNDING AND LENGTH OF PLAN

security interest, set out in §2.G.

IN RE:

3

## A. Plan Payments from Future Income

The Plan avoids a judicial lien or nonpossessory, nonpurchase-money

1. To date, the Debtor paid \$6,181.14 (\$0 if no payments have been made to the Trustee to date). Debtor shall pay to the Trustee for the remaining term of the Plan the following payments. If applicable, in addition to monthly Plan payments, Debtor shall make conduit payments through the Trustee as set forth below. The total base Plan is \$Click or tap here to enter text. plus other payments and property stated in \$1B below:

☐ Included

☐ Not Included

Start mm/yyyy	End mm/yyyy	Plan Payment	Estimated Conduit Payment	Total Monthly Payment	Total Payment Over Plan Tier
06/2019	09/2023	\$940.00	\$0.00	\$940.00	\$55,061.44
				Total Payments:	\$55,061.44

- 2. If the Plan provides for conduit mortgage payments, and the mortgagee notifies the Trustee that a different payment is due, the Trustee shall notify the Debtor and any attorney for the Debtor, in writing, to adjust the conduit payment and the Plan funding. Debtor must pay all post-petition mortgage payments that have come due before the initiation of conduit mortgage payments.
- 3. Debtor shall ensure that any wage attachments are adjusted when necessary to conform to the terms of the Plan.

### 4. CHECK ONE:

☑ Debtor is at or under median income. *If this line is checked, the rest of §1.A.4 need not be completed or reproduced.* 

 $\Box$  Debtor is over median income. Debtor calculates that a minimum of \$0.00 must be paid to allowed unsecured creditors in order to comply with the Means Test.

## B. Additional Plan Funding from Liquidation of Assets/Other

1. The Debtor estimates that the liquidation value of this estate is \$Click or tap here to enter text.. (Liquidation value is calculated as the value of all non-exempt assets after the deduction of valid liens and encumbrances is before the deduction of Trustee fees and priority claims.)

#### CHECK ONE:

 $\boxtimes$  No assets will be liquidated. If this line is checked, the rest of  $\S1.B$  need not be completed or reproduced.

☐ Certain assets will be liquidated as follows: Click or tap here to enter text.

- 2. In addition to the above specified Plan payments, Debtor shall dedicate to the Plan proceeds in the estimated amount of \$0.00 from the sale of property known and designated as . All sales shall be completed by . 20 . If the property does not sell by the date specified, then the disposition of the property shall be as follows:
- 3. Other payments from any source(s) (describe specifically) shall be paid to the Trustee as follows:

### 2. SECURED CLAIMS

### A. Pre-Confirmation Distributions Check One

 $\boxtimes$  None. If "None" is checked, the rest of §2.A need not be completed or reproduced.  $\square$  Adequate protection and conduit payments in the following amounts will be paid by the Debtor to the Trustee. The Trustee will disburse these payments for which a Proof of Claim has been filed as

soon as practicable after receipt of said payments from the Debtor.

Name of Creditor	Last Four Digits of Account Number	Estimated Monthly Payment
		\$

- 1. The Trustee will not make a partial payment. If the Debtor makes a partial Plan payment, or if it is not paid on time and the Trustee is unable to pay timely a payment due on a claim in this section, the Debtor's cure of this default must include any applicable late charges.
- 2. If a mortgagee files a notice pursuant to Fed. R. Bankr. P. 3002.1(b), the change in the conduit payment to the Trustee will not require modification of this Plan.

# B. Mortgages (Including Claims Secured by Debtor's Principal Residence) and Other Direct Payments by Debtor Check One

 $\square$  None. If "None" is checked, the rest of §2.B need not be completed or reproduced.  $\boxtimes$  Payments will be made by the Debtor directly to the Creditor according to the original contract terms, and without modification of those terms unless otherwise agreed to by the contracting parties.

All liens survive the Plan if not avoided or paid in full under the Plan.

Name of Creditor	Description of Collateral	Last Four Digits of Account Number
Ocwen Loan Servicing, LLC	1865 Church Road York, PA 17408	
Ocwen Loan Servicing, LLC	818 Fireside Road York, PA 17404	
Global Lending Services	2013 Dodge Charger	

## C. Arrears (Including, but not limited to, Claims Secured by Debtor's Principal Residence) Check One

 $\square$  None. If "None" is checked, the rest of §2. C need not be completed or reproduced.

☑ The Trustee shall distribute to each Creditor set forth below the amount of arrearages in the allowed claim. If post-petition arrears are not itemized in an allowed claim, they shall be paid in the amount stated below. Unless otherwise ordered, if relief from the automatic stay is granted as to any collateral listed in this section, all payments to the Creditor as to that collateral shall cease, and the claim will no longer be provided for under §1322(b)(5) of the Bankruptcy Code:

Name of Creditor	Description of Collateral	Estimated Pre- Petition Arrears to be Cured	Estimated Post-Petition Arrears to be Cured	Estimated Total to be Paid in Plan
Ocwen Loan Servicing, LLC	1865 Church Road York, PA 17408	\$37,790.91	\$0.00	\$37,790.91
West Manchester Township	1865 Church Road York, PA 17408	\$8,375.77	\$0.00	\$8,375.77
Ocwen Loan Servicing, LLC	818 Fireside Road York, PA 17404	\$877.79	\$0.00	\$877.79

# D. Other Secured Claims (Conduit Payments and Claims for Which a §506 Valuation is Not Acceptable, etc.) Check One

⊠ None	If "None"	' is checked	the rest of	S2 Dnood	not be comple	eted or reproduced.
∠ INUIIC.	II INDITE	is checken,	THE PEST OF	72.D neeu	noi de compi	sieu or reprounceu.

- ☐ The claims below are secured claims for which a §506 valuation is not applicable, and can include: (1) claims that were either (a) incurred within 910 days of the petition dated and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the Debtor, or (b) incurred
- within one year of the petition date and secured by a purchase money security interest in any other thing

of value; (2) conduit payments; or (3) secured claims not provided for elsewhere.

- 1. The allowed secured claims listed below shall be paid in full and their liens retained until the earlier of the payment of the underlying debt determined under nonbankruptcy law discharge or under §1328 of the Code.
- 2. In addition to payments of the allowed secured claim, present value interest pursuant to 11 U.S.C §1325(a)(5)(B)(ii) will be paid at the rate and in the amount listed below, unless an objection is

raised. If an objection is raised, then the Court will determine the present value interest rate and amount at the Confirmation Hearing.

3. Unless otherwise ordered, if the claimant notifies the Trustee that the claim was paid, payments on the claim shall cease.

Name of Creditor	Description of Collateral	Principal Balance of Claim	Interest Rate	Total to be Paid in Plan
		\$	%	\$

### E. Secured Claims for Which a §506 Valuation is Applicable Check One

 $\boxtimes$  None. If "None" is checked, the rest of §2.E need not be completed or reproduced.

□ Claims listed in the subsection are debts secured by property not described in §2.D of this Plan. These claims will be paid in the Plan according to modified terms, and liens retained until the earlier of the payment of the underlying debt determined under nonbankruptcy law or discharge under §1328 of the Code. The excess of the Creditor's claim will be treated as an unsecured claim. Any claim listed as "\$0.00" or "NO VALUE" in the "Modified Principal Balance" column below will be treated as an unsecured claim. The liens will be avoided or limited through the Plan or Debtor will file an adversary action (select method in last column). To the extent not already determined, the amount, extent or validity or the allowed secured claim for each claim listed below will be determined by the Court at the Confirmation Hearing. Unless otherwise ordered, if the claimant notifies the Trustee that the claim was paid, payments on the claim shall cease.

Name of Creditor	Description of Collateral	Value of Collateral (Modified Principal)	Interest Rate	Total Payment	Plan or Adversary Action
		\$	%	\$	Choose an item.

### F. Surrender of Collateral Check One

 $\square$  None. If "None" is checked, the rest of §2.F need not be completed or reproduced.

⊠ The Debtor elects to surrender to each Creditor listed below in the collateral that secures the Creditor's claim. The Debtor requests that upon confirmation of this Plan or upon approval of any modified plan, the stay under 11 U.S.C. §362(a) be terminated as to the collateral only and that the stay under §1301 be terminated in all respects. Any allowed unsecured claim resulting from the disposition of the collateral will be treated in Part 4 below.

Name of Creditor	Description of Collateral to be Surrendered
Awesome Autos	2006 Chrysler 300

**G.** <u>Lien Avoidance</u> Do not use for mortgages or for statutory liens, such as tax liens. Check One of the Following Lines

 $\boxtimes$  None. If "None" is checked, the rest of §2.B need not be completed or reproduced.

☐ The Debtor moves to void the following judicial and/or nonpofollowing creditors pursuant to §522(f) (this § should not be used mortgages).	
Name of Lien Holder	
Lien Description	
for Judicial Liens, include court and docket number	
Description of Liened Property	
Liened Asset Value	
Sum of Senior Liens	
Exemption Claim Amount of Lien	
Amount Avoided	
<ul> <li>A. <u>Administrative Claims</u></li> <li>1. <u>Trustee's Fees</u>. Percentage fees payable to the Trustee will be Trustee.</li> </ul>	paid at the rate fixed by the United States
2. Attorney's Fees. Complete Only One of the Following Option	ns
<ul> <li>a. In addition to the retainer of \$405.00 already paid be the Plan. This represents the unpaid balance of the pLBR 2016-2(c); or</li> <li>b. \$0.00 per hour, with the hourly rate to be adjusted in fee agreement between Debtor and the Attorney. Pay require a separate fee application with the compens LBR 2016-2(b).</li> </ul>	oresumptively reasonable fee specified in accordance with the terms of the written ment of such lodestar compensation shall
3. Other administrative claims not included in §§3.A.1 of	or 3.A.2 above. Check One
$\boxtimes$ None. If "None" is checked, the rest of §3.A.3 need not b $\square$ The following administrative claims will be paid in full:	e completed or reproduced.
Name of Creditor	Estimated Total Payment
	\$
B. Priority Claims (including certain Domestic Support Obligate Allowed unsecured claims entitled to priority under §1322(a) will	
Name of Creditor	Estimated Total Payment

\$

	omestic Support Obli 07(1)(a)(B) Check <i>One</i>		ed to or Owe	d to a Govern	mental Unit U	nder 11 U.S.C
ass	None. If "None" is ch The allowed priority signed to or is owed to a an provision requires th	claims listed bel a governmental u	ow are based unit and will be	on a domestic s paid less than th	support obligatione full amount of	f the claim. This
	Name of C	Creditor		E	stimated Total	Payment
					\$	
4. UNSECUI	RED CLAIM					
A. <u>Cl</u>	aims of Unsecured No	npriority Credi	tors Specially	Classified Chec	k One	
co- pa	To the extent that fund-signed unsecured debt id interest at the rate stall apply.	s, will be paid be	efore other, un	classified, unsec	ured claims. Th	ne claim shall be
Name	of Creditor		Reason for Special Classification Est		Interest Rate	Estimated Total Payment
				\$	%	\$
pa  5. EXECUTO	maining allowed unsomment of other classes  ORY CONTRACTS A  None. If "None" is ch  The following contract rejected:	AND UNEXPIRE	ED LEASES (	Check One e completed or r	eproduced.	C
Name of Othe Party	Description of Contract or Lease	Monthly Payment	Interest Rate	Estimated Arrears	Total Plan Payment	Assume or Reject
		\$	%	\$	\$	Choose an item.
Property o	OF PROPERTY OF of the estate will vest in Plan Confirmation Entry of Discharge Closing of Case		on: Check the I	Applicable Line		

	<ul><li>☑ The Debtor will seek a discharge</li><li>☐ The Debtor is not eligible for described in §1328(f).</li></ul>	e pursuant to §1328(a). a discharge because the Debtor has previously received a discharge							
8.	ORDER OF DISTRUBITION								
	If a pre-petition Creditor files a secured, pri treat the claim as allowed, subject to object	iority or specifically classified claim after the bar date, the Trustee wil							
	Payments from the Plan will be made by the								
	Level 1:								
	Level 2:								
	Level 3:								
	Level 4:								
	Level 5:								
	Level 6:								
	Level 7:								
9.	in, then the Order of Distribution of Plan pay Level 1: adequate protection payments Level 2: Debtor's attorney's fees Level 3: Domestic Support Obligations Level 4: priority claims, pro rata Level 5: secured claims, pro rata Level 6: specifically classified unsecured clait Level 7: timely filed general unsecured clait Level 8: untimely filed general unsecured c NONSTANDARD PLAN PROVISIONS Include the additional provisions below of	ms							
Datad	5/20/2019	/s/ Paul D. Murphy-Ahles							
Dated.		Attorney for Debtor							
		/s/ Evelio Rivera-Ramos							
		Debtor 1							
		/s/ Monalisa Rivera							
		/s/ Wonansa Rivera							

7. DISCHARGE Check One

By filing this document, the Debtor, if not represented by an Attorney, or the Attorney for Debtor also certifies that this Plan contains no nonstandard provisions other than those set out in §9.

# UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF PENNSYLVANIA

In re: Debtor(s) name(s) used by the debtor(s) in the last 8 years, including married, maiden, and trade):

Evelio Rivera-Ramos a/k/a Evelio Ramos a/k/a Evelio Rivera

Debtor 1

Monsalisa Rivera a/k/a Mona Lisa

**Debtor 2** 

Chapter 13

Case No. 1:18-BK-04011-HWV

Matter: Second Amended Plan

#### **NOTICE**

Notice is hereby given that:

The Debtor(s) filed a Chapter 13 Bankruptcy Petition on **September 25, 2018**.

A hearing on the above-referenced matter has been scheduled for:

United States Bankruptcy Court Ronald Reagan Federal Building Bankruptcy Courtroom (3<sup>rd</sup> Floor) Third & Walnut Streets Harrisburg, PA 17101

**Date: June 26, 2019** 

Time: 9:30 AM

Any objection/response to the above-referenced matter must be filed and served on or before **June 19, 2019**.

Evidentiary hearings will not be conducted at the time of the Confirmation Hearing. If it is determined at the Confirmation Hearing that an evidentiary hearing is required, an evidentiary hearing will be scheduled for a future date.

A copy of the Plan is enclosed with this Notice. A copy may also be obtained from the case docket through PACER or from the Bankruptcy Clerk's Office.

Request to participate in a hearing telephonically shall be made in accordance with Local Bankruptcy Rule 9074-1(a).

Date: May 20, 2019 Paul D. Murphy-Ahles, Esquire

PA ID No. 201207 DETHLEFS PYKOSH & MURPHY 2132 Market Street

Camp Hill, PA 17011 (717) 975-9446

pmurphy@dplglaw.com
Attorney for Debtor(s)

# UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF PENNSYLVANIA

In re: Debtor(s) name(s) used by the debtor(s) in the last 8 years, including married, maiden, and trade):

Evelio Rivera-Ramos a/k/a Evelio Ramos a/k/a Evelio Rivera

Debtor 1

Monalisa Rivera a/k/a Mona Lisa

**Debtor 2** 

Chapter 13

Case No. 1:18-BK-04011-HWV

Matter: Second Amended Plan

### CERTIFICATE OF SERVICE

I hereby certify that on Monday, May 20, 2019, I served a true and correct copy of the **Second Amended Chapter 13 Plan** and **Notice of Opportunity to Object and Hearing** in this proceeding via electronic means or USPS First Class Mail upon the recipients as listed in the Mailing Matrix.

/s/ Kathryn S. Greene

Kathryn S. Greene, Pa.C.P., Paralegal for Paul D. Murphy-Ahles, Esquire

Label Matrix for local noticing 0314-1 Case 1:18-bk-04011-HWV Middle District of Pennsylvania Harrisburg Wed Apr 3 12:30:26 EDT 2019

American InfoSource, LP
4515 North Sont For Prenty Oklahum Caty, carbon Sont For Pren

CBHV 155 North Plank Road PO Box 831 Newburgh, NY 12551-0831

Credit Collection Services 725 Canton Street PO Box 607 Norwood, MA 02062-0607

Charles J DeHart, III (Trustee)
8125 Adams Pric frip ONIC
Hummeistown, PA 7/036 882

First Premier Bank 3820 North Louise Avenue Sioux Falls, SD 57107-0145

HSBC BANK USA, NATIONAL ASSOCIATION ET. AL.

OCWEN LOAN SERVICING, LLC

ATTN BANKRUPTCY DEPARTMENT
P.O. DOX 24005

WEST PALM BEACH FL 33416-4605

KML Law Group, PC
BNY Wellen Independence Center
701 Market Street, Softe 500
Philadelphia, PA 19106-1541

LVNV Funding, LLC

Resurgent Capital Services
PO B D1058 PL CATE

Greenville, SC 29603-0587

Met-Ed
PO B 368 P L CATE
Akron, On 4309 L CATE

AAS Debt Recovery
PO BD129 PL 1 CATE
Monroeville, PA 15140 012

Awesome Autos & Trucks 4330 West Market Street York, PA 17408-5938

(p)COLUMBIA GAS
290 W NATIONWIDE BLVD 5TH FL
BANKRUPTCY DEPARTMENT
COLUMBUS OH 43215-4157

CrossCheck, Inc. 1440 North McDowell Blvd. CrossCheck, Inc., 1440 North McDowell Bl Petaluma, CA 94954-6515

Enhanced Recovery Company, LLC 8014 Bayberry Road Jacksonville, FL 32256-7412

Global Lending Service

5 Consourse Parkway ATE
Atlanta, A 30310 100 ATE

Mario John Hanyon
Phelan Hallinan & Schmieg
161 ET BECTRONIC
Suite 1400
Philadelphia, PA 19103-1814

Keystone Collections Services 220 North Duke Street Lancaster, PA 17602-2710

MS Hershey Medical Center Attn: Patient Financial Services PO Box 853 Hershey, PA 17033-0853

Montgomery Ward c/o Creditors Bankruptcy Service P.O. Box 800849 Dallas, TX 75380-0849 AmSher Collection Services 4524 Southlake Parkway, Suite 15 Hoover, AL 35244-3271

CASHNET USA c/o Williamson and Brown, LLC 4691 Clifton Parkway Hamburg, NY 14075-3201

Capital One Bank USA, NA PO Box 30285 Salt Lake City, UT 84130-0285

DEUTSCHE BANK NATIONAL TRUST COMPANY, et.al.

OCWEN LOAN SERVICING, LLC

ATTN: DANKRUTTSY DEPARTMENT
P.O. DOX 24605

FIRST NATIONAL BANK OF PENNSYLVANIA
C/O AAS DEBT RECOVERY INC

2526 MONROEVILLE BLVD SUITE 205 MONROEVILLE , PA 15146-2371

WEST PALM BEACH FL 33416-4605

(p)GLOBAL LENDING SERVICES LLC 1200 BROOKFIELD BLVD STE 300 GREENVILLE SC 29607-6583

(p) JEFFERSON CAPITAL SYSTEMS LLC
PO BODO IN LOS CAPITAL SYSTEMS LLC
PO BODO IN LOS CAPITAL SYSTEMS LLC

LVNV Funding, LLC PO Box 10497 Greenville, SC 29603-0497

Met Ed FirstEnergy 101 Crawford's Corner Rd Bldg No. 1 Ste 1-511 Holmdel, NJ 07733

Paul Donald Murphy-Ahles
Dethlefs Pykosh & Murphy
2132 War Let Steet I RONIC
Camp Hill, PA 17011-4706

Case 1:18-bk-04011-HWV Doc 41 Filed 05/20/19 Entered 05/20/19 14:30:40 Desc Main Document Page 10 of 13 National General Insurance PO Box 89431 Cleveland, OH 44101-6431 National Recovery Agency 2491 Paxton Street Harrisburg, PA 17111-1036 Ocwen Loan Servicing 12650 Ingenuity Drive Orlando, FL 32826-2703

PRA Receivables Management, LLC
PO Ben 1102P

(p)PORTFOLIO RECOVERY ASSOCIATES LLC PO BOX 41067 NORFOLK VA 23541-1067

Premier Bankcard, Llc Jefferson Capital Systems LLC Assignee Po Box 7999 Saint Cloud Mn 56302-7999 Qualia Collection Services PO Box 5069 Petaluma, CA 94955-5069 Resurgent Capital Services PO Box 10587 Greenville, SC 29603-0587

Monalisa Rivera 1865 Church Road York, PA 17408-1507 Evelio Rivera-Ramos 1865 Church Road York, PA 17408-1507

Seitz Oral & Maxillofacial Surgery 924 Colonial Avenue, Suite H York, PA 17403-3450

Seventh Avenue / Montgomery Ward 1112 7th Avenue PO Box2845 Monroe, WI 53566-8045 Thomas Song
Phelan Hallinan Diamond & Jones
1617 FR Bulevard RONIC
Suit 100 Philadelphia, PA 19103-1814

T Mobile/T-Mobile USA Inc by American InfoSource as agent PO Box 248848 Oklahoma City, OK 73124-8848

United States Trustee

228 Weinst Street Tuits ONIC
Harrisbury, Trustee

Urden Law Offices, PC Woodcrest Corporate Center 111 Woodcrest Road, Suite 200 Cherry Hill, NJ 08003-3620 Vantage Sourcing 4930 West State Highway 52 #1 Dothan, AL 36305-9102

Verizon by American InfoSource as agent PO Box 248838 Oklahoma City, OK 73124-8838 Verizon Wireless PO Box 25505 Lehigh Valley, PA 18002-5505 James Warmbrodt

701 Market Street Grip 5000 NIC

Philadephia PA 19106 1541

WellSpan Health PO Box 742641 Cincinnati, OH 45274-2641 West Manchester Township 380 East Berlin Road York, PA 17408-8700

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

COLUMBIA GAS OF PENNSYLVANIA P.O. BOX 117 COLUMBUS , OH 43216 (d)Columbia Gas of PA PO Box 742537 Cincinnati, OH 45274-2537 Global Lending Services LLC 1200 Brookfield Blvd Ste 300 Greenville, South Carolina 29603 Jefferson Capital Systems, LLC 16 Mcleland Road PO Box 7999 Saint Cloud, MN 56302-9617 Portfolio Recovery Associates, LLC PO Box 41067 Norfolk, VA 23541-1067

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) DEUTSCHE BANK NATIONAL TRUST COMPANY, et.a

(u) Global Lending Services, LLC

(d)PRA Receivables Management, LLC PO Box 41021 Norfolk, VA 23541-1021

End of Label Matrix
Mailable recipients 52
Bypassed recipients 3
Total 55